

REMARKS

Claims 1, 3-8 are pending. By this Response, claims 1, 3 and 7 are amended and claim 2 cancelled. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

Claims 1-4, 7 and 8 stand rejected under 35 U.S.C. § 103(a) in view of Vermola (U.S. Patent Application Publication No. 2005/0289589) and claims 5 and 6 under 35 U.S.C. § 103(a) in view of Vermola and Morisada et al. (U.S. Patent Application Publication No. 2002/0013946). These rejections are respectfully traversed.

Claims 1 and 7

Claims 1 and 7 have been amended to recite *inter alia*, “wherein the service information includes a selection button number and the registration means registers names of transmission broadcasting stations and a broadcast target area for these transmission broadcasting stations where the broadcasting station having the same selection button number are associated into a corresponding preset group.”

The amendment features include some features of previous claim 2 but additional features different therefrom and define the registration of a broadcasting station into a corresponding preset group based on the selection button provided in the service information. These features are not taught by Vermola.

The Examiner stated that Figure 2, Item 209, Figure 5, Item 5052 and Paragraphs 24 and 55 of Vermola teach a selection button being provided in service information. Applicants strongly disagree.

First, it is noted that contrary to the Examiner’s assertions, the service parameter is separately obtained on a separate channel. Vermola is specific in this teaching and any assumption by the Examiner cannot usurp this specific teaching. Paragraph 26 of Vermola states “in order to receive the service parameter, in the various embodiments, a device might set its tuner to a particular frequency, associate

itself with a multicast address (e.g., an IP multicast address), access data from a particular network address (e.g., an IP address), and/or the like.”

Thus, a device sets the tuner to specific frequency that broadcast the service parameters. There is no teaching that this data is provided with a video and audio signal even if the signal such as the DVB-T are used that are not limited to specific data portions. Applicants’ claims are clear to what the broadcast wave includes and to what the service information includes. The broadcast wave includes the digital video signal, the digital audio signal and the serviced information in which the service information includes the channel number, transmission, broadcasting station name, broadcasting target area and selection button number. These features are not taught by Vermola.

Second, item 209 of Vermola refers to “channel order information” obtained from a service parameter. While the service parameter in Vermola refers to a preferred channel order, it does not teach that the service information includes a selection button that allows a registration means to place all broadcast stations into a corresponding preset group based on having the same selection button in the service information provided in the specific recited broadcast wave.

The service parameter in Vermola simply provides an order which is “set by a user, system administrator, manufacturer, service provider and/or the like.” See paragraph 34 of Vermola. Applicants claims do not refer to obtaining an order of channels, but instead refer to obtaining information that allows for placing the channels into preset groups based on the information, i.e. selection button provided in the service information itself associated with that channel.

Thus, Vermola fails to teach each independent feature of independent claims 1 and 7 as required. Accordingly, reconsideration withdrawal of the rejection with respect to claims 1 and 7 and their dependent claims are respectfully requested.

Claim 8

Claim 8 refers to obtaining the position of the receiver, which receives the broadcast signals based upon the service information provided in the broadcast signal. This is not taught by Vermola.

The Examiner relies upon paragraph 16 of Vermola to provide this teaching. Paragraph 16 states "In various embodiments, the location of a device may be determined, and one or more service parameters corresponding, for instance, to the location may, for example, be employed in receiving service listings data, channel listings data, and/or the like appropriate, for instance, to the location, one or more subscriptions, packages, and/or the like of a user, and/or the like."

Paragraph 16 is explicit in teaching that the location of the device may be determined and then employing one or more service parameters based on the obtained location. This paragraph does not state how the location is obtained. Paragraph 29 of Vermola does state how the position (location) is obtained. Paragraph 29 refers to obtaining positioning information based on GPS or being provided by the user. Nowhere does it teach or suggest that such position information is obtained from the information provided in the service parameters itself.

Thus, Vermola fails to teach each feature of independent claim 8 as required. Thus, reconsideration and withdrawal of rejection with respect to claim 8 are respectfully requested

Conclusion

For at least the reasons above, it is respectfully submitted that claims 1 and 3-8 are distinguished from the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings,

Application No.: 10/573,981
Amendment dated April 9, 2009
Response to Office Action of February 19, 2009

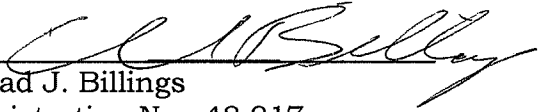
Docket No.: 1163-0560PUS1

Reg. No. 48,917 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.147; particularly, extension of time fees.

Dated: **April 9, 2009**

Respectfully submitted,

By 
Chad J. Billings
Registration No.: 48,917
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicants